

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION**

JOHN DOE, individually and on behalf)	
of all others similarly situated,)	
)	Case No. 3:20-cv-00356
Plaintiff,)	
)	Judge Campbell
v.)	Magistrate Judge Frensley
)	
VANDERBILT UNIVERSITY,)	JURY DEMAND
)	
Defendant.)	

**DEFENDANT’S UNOPPOSED MOTION FOR LEAVE TO FILE SECOND NOTICE OF
SUPPLEMENTAL AUTHORITY**

Defendant Vanderbilt University respectfully requests leave to file the attached Second Notice of Supplemental Authority. Defendant has identified two recent persuasive decisions and seeks to bring them to the Court’s attention.

Pursuant to Local Rule 7.01(a)(1), on January 28, 2021, counsel for Defendant (Alan Schoenfeld) conferred with counsel for Plaintiff (Daniel Kurowski) requesting Plaintiff’s position as to this filing. Plaintiff indicated that he does not oppose the motion and that he reserves the right to respond. The motion is thus unopposed.

Accordingly, for the reasons provided and for good cause shown, Defendant respectfully requests leave to file the attached Second Notice of Supplemental Authority. A proposed order accompanies this motion.

Dated: February 1, 2021

Respectfully submitted,

/s/ Kevin C. Klein

Kevin C. Klein (#23301)
Ryan P. Loofbourrow (#33414)
KLEIN SOLOMON MILLS, PLLC
1322 4th Avenue North
Nashville, Tennessee 37208
(615) 600-4780
kevin.klein@kleinpllc.com
ryan.loofbourrow@kleinpllc.com

Bruce M. Berman (admitted *pro hac vice*)
WILMER CUTLER PICKERING
HALE AND DORR LLP
1875 Pennsylvania Avenue NW
Washington, DC 20006
(202) 663-6173
bruce.berman@wilmerhale.com

Alan E. Schoenfeld (admitted *pro hac vice*)
WILMER CUTLER PICKERING
HALE AND DORR LLP
7 World Trade Center
250 Greenwich Street
New York, NY 10007
(212) 937-7294
alan.schoenfeld@wilmerhale.com

Attorneys for Defendant Vanderbilt University

CERTIFICATE OF SERVICE

I certify that on the 1st day of February, 2021, a true and exact copy of this **DEFENDANT'S UNOPPOSED MOTION FOR LEAVE TO FILE SECOND NOTICE OF SUPPLEMENTAL AUTHORITY** was electronically filed with the Clerk of the District Court and served by operation of the Court's electronic filing system upon the following:

Tricia Herzfeld
Anthony A. Orlandi
BRANSTETTER, STRANCH & JENNINGS, PLLC
223 Rosa L. Parks Ave., Suite 200
Nashville, Tennessee 37203
(615) 254-8801
triciah@bsjfirm.com
aorlandi@bsjfirm.com

Steve W. Berman
HAGENS BERMAN SOBOL SHAPIRO LLP
1301 Second Avenue, Suite 2000
Seattle, Washington 98101
(206) 623-7292
steve@hbsslaw.com

Daniel J. Kurowski
Whitney K. Siehl
HAGENS BERMAN SOBOL SHAPIRO LLP
455 N. Cityfront Plaza Dr., Suite 2410
Chicago, Illinois 60611
(708) 628-4949
dank@hbsslaw.com
whitneys@hbsslaw.com

s/ Kevin C. Klein
Kevin C. Klein